UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,245	01/24/2002	Douglas Ross Cardy	CCK94028RE	3727

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EXAMINER
PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
2614	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

	Application No.	Applicant(s)
Office Action Summary	10/054,245	CARDY ET AL.
	Examiner	Art Unit	
	JOSEPH T. PHAN	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>16 June 2008 and 19 February 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-57,59,61 and 62</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-13,22-24,26-46,51,53,54,56,57,59,61 and 62</u> is/are rejected.

7)☒ Claim(s) <u>14-21 and 25</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20090313

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 12/21/06 have been fully considered but they are not

persuasive. In response to applicant's argument that the references fail to show certain features of

applicant's invention, it is noted that the features upon which applicant relies *(i.e., facility related*

event are raw or unprocessed events associated with a user and/or user activity at a telephone

device/terminal device) are not recited in the rejected claim(s). Although the claims are

interpreted in light of the specification, limitations from the specification are not read into the

claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

On page 22 of applicant's arguments, applicant admits that Christie teaches call set-up signaling

such as verifying the dialed number, generating billing information, selecting connections for the

call and generating signaling, etc. which are related to a facility and therefore reads on "facility

related events".

Furthermore for claim 47, LaPorta states in col. 7, lines 62-66, "As part of its route control

functions, connection server 504 may retrieve relevant information from other connection servers

or may query channel servers 506 and 511 for appropriate information", this "facility related

event" is forwarded to the call server.

These interpretations allows the examiner to maintain the current prior art rejection as they read

on the claims as currently recited.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   **Claims 11-13,22-24,26-31,40-46,51, 53-54, 56-57, 59, and 61-62 are rejected under 35**

U.S.C. 102(e) as being anticipated by Christie et al. US Patent 6,181,703.

Regarding claim 11, Christi teaches an apparatus (fig. 2, fig. 3, col. 7, lines 52-65)

comprising:

switch intelligence (signaling processor/origination manager 522) configured to: receive

notification of a facility related event associated with a call from a switch fabric, *(col. 5, lines 26-*

39; col. 11, lines 1-10; col. 15, lines 10-35; col. 6, lines 45-56; IAM notifications which are

'facility related' are received), wherein the switch intelligence is implemented in a separate

network element from a network element implementing the switch fabric, (col. 5, lines 11-25),

execute a call state machine, (col. 11, lines 30-35), the call state machine being responsive to the

notification of the facility related event and representing processing of the call as at least one call

segment, (col. 15, lines 14-35), wherein the at least one call segment corresponds to a call half,

(col. 15, lines 10-29), *(origination manager 522 executes call processing in accordance with the*

Basic call Model as well as maintaining in a call control block at least call status information),

provide an association between the at least one call segment and at least one physical device

associated with completing the call, (col. 11, lines 12-35; col. 15, lines 47-54), and provide

connection information to the switch fabric based on the association, (figs. 2,3 and 5; col. 15,

lines 47-54; col. 16, lines 9-17).

Regarding claim 12, Christi, as applied to claim 11, teaches wherein said network

element implementing the switch intelligence is physically separated from said network element

implementing the switch fabric and is coupled to the network element implementing the switch

fabric via a communications network, (col. 5, lines 11-25).

Regarding claim 13, Christi, as applied to claim 11, teaches wherein the network element

implementing said switch intelligence is logically separated from the network element

implementing said switch fabric, (col. 5, lines 11-25).

Regarding claim 22, Christi teaches an apparatus (signaling processor - figs. 2 and 3)

comprising:

a switch intelligence for providing control functions to at least one switch fabric, (signaling

processor/origination manager 522; col. 5, lines 26-39; col. 15, lines 47-54), the switch

intelligence comprising:

processing logic configured to:

receive information from the at least one switch fabric, the information including

a facility related event associated with a call, (col. 5, lines 26-39; col. 15, lines 10-35), process

the received information, (col. 11, lines 12-35; col. 15, lines 10-35),

maintain call states in accordance with a call model for at least one party involved in the call,

(col. 11, lines 30-35), and

provide connection information to the at least one switch fabric for completing the call, (figs. 2,3

and 5; col. 15, lines 47-54; col. 16, lines 9-17).

Regarding claim 23, Christi, as applied to claim 22, teaches wherein said switch intelligence is

one of logically separated or physically separated from said at least one switch fabric, (col. 5,

lines 11-25), the processing logic being further configured to:

identify at least one point in the call where a telecommunications function is required, (col. 11, lines 12-35; col. 15, lines 10-35; fig. 7-9), and

send a request for the telecommunications function to a processor in response to

the identified at least one point in the call, (figs. 2,3 and 5; col. 15, lines 47-54; figs 7-9).

Regarding claim 24, Christi, as applied to claim 23, teaches a processor executing the telecommunications function in response to the request, (col. 11, lines 12-35).

Regarding claim 26, Christi, as applied to claim 22, teaches wherein said switch intelligence provides control functions to a plurality of switch fabrics, (figs. 2,3 and 5).

Regarding claim 27, Christi, as applied to claim 22, teaches wherein said switch intelligence further comprises at least one of a facility service, a call connection manager service or a call segment instance service, (col. 11, lines 30-35; col. 15, lines 47-54).

Regarding claim 28, Christi, as applied to claim 27, teaches wherein said at least one of a facility service, a cad connection manager service or a call segment instance service comprises a call segment instance service, the call segment instance service configured to maintain the call states for the at least one party involved in the call, (col. 11, lines 30-35).

Regarding claim 29, Christi teaches an apparatus comprising: means for receiving switch-fabric communication from a switch-fabric, the switch-fabric communications including a facility related event information associated with a call, (col. 5, lines 26-39; col. 15, lines 10-35); means for processing the switch-fabric communications, (col. 5, lines 26-39; col. 15, lines 14-35);

wherein the means for processing is configured to maintain call states in accordance with a call model for at least one party involved in the call and generate connection information for

Completing the call, (col. 11, lines 30-35); and

means for translating the connection information into switch-fabric communications for use by a

switch fabric, (figs. 2,3 and 5; col. 15, lines 47-54; col. 16, lines 9-17).

Regarding claim 30, Christi teaches an apparatus, comprising:

means for translating switch-fabric communications into communications defined according to a

uniform switch-intelligence interface, (col. 5, lines 11-25);

means for processing the switch fabric communications comprising event information associated

with a call, (col. 11, lines 1-10; col. 15, lines 10-35), the means for processing being configured

to:

maintain call states for at least one party involved in the call in accordance with a call model and

execute the call model to generate connection information for completing the call, (col. 11, lines

10-35); and

means for translating the communications defined according to the uniform switch-intelligence

interface into switch-fabric communications, (col. 15, lines 47-54).

Regarding claim 31, Christi, as applied to claim 30, teaches means for translating

communications defined according to the uniform interface into switch-intelligence

communications, (col. 15, lines 47-54); and

means for translating switch-intelligence communications into communications defined

according to a uniform interface, (col. 5, lines 26-39; col. 15, lines 47-54).

Regarding claim 40, Christi teaches an apparatus (figs. 2 and 3; signaling processor)

comprising:

a switch intelligence network element for controlling a switch fabric network element wherein

said switch intelligence network element (col. 5, lines 26-39; col. 15, lines 47-54) comprises:

processing logic configured to:

receive notification information from the switch fabric network element associated with a call

from the switch fabric network element(col. 15, lines 10-35) and perform call half processing for

at least one party associated with the call in response to the notification information and in

accordance with a cal model, (col. 11, lines 12-35, col. 15, lines 10-29).

Regarding claim 41, Christi, as applied to claim 40, teaches perform the call half

processing in accordance with a call model, the call model representing at least one of an

Advanced Intelligent Network (AIN) call model, an International Telecommunications Union

(ITU) call model or a call model created by a service provider, (col. 11, lines 30-40).

Regarding claim 42, Christi, as applied to claim 40, teaches wherein said switch

intelligence network element includes at least one of a first application programming interface

communicable with a switch-fabric proxy service or a second application programming interface

communicable with a feature processor that executes at least one telecommunications function,

(col. 15, lines 47-54).

Regarding claim 43, Christi, as applied to claim 40, teaches one application programming

interface communicable between at least one of a facility service, a call connection manager

service or a call segment instance service and another of said at least one of a facility service a

call connection manager service or a call segment instance service, (col. 11, lines 30-35, col. 15,

lines 47-54).

Regarding claim 44, Christi teaches an apparatus (signaling processor) comprising:

a feature processor for executing at least one telecommunications function, (col. 7, lines 52-65);

an switch intelligence (signaling processor/origination processor - figs. 2 and 3)

configured to:

receive facility related data associated with a call from a switch fabric, perform call half

processing associated with at least one party to the call in response to the facility data and in

accordance with a call model, (col. 11, lines 1-10; col. 15, lines 10-35), and

provide connection information to an entity that received the call wherein the connection

information identifies physical connections to complete the calls wherein the switch intelligence

is implemented in at least one network element the at least one network element being a separate

network element from the entity that received the call, (col. 5, lines 11-25; col. 15, lines 47-54).

Regarding claim 45, Christi teaches an apparatus for controlling a switch fabric the

apparatus being implemented in at least one network element -the at least one network element

being separate from the switch fabric (col. 5, lines 11-25) the apparatus comprising:

logic for processing facility related information received from the switch fabric in accordance

with a call model, (col. 11, lines 12-35; col. 15, lines 10-29);

logic for performing call half processing for at least one party involved in the call in response to

the facility related information and in accordance with the call model, (col. 11, lines 12-35; col.

15, lines 10-29); and

logic for forwarding connection information to the at least one switch fabric, (col. 11, lines 12-

35; col. 15, lines 10-29; figs. 2,3 and 7).

Regarding claim 46, Christi, as applied to claim 45, teaches interface logic including a

first interface for communications between the apparatus and the switch fabric, (figs. 2,3 and 5).

Regarding claim 51, Christi teaches an apparatus, comprising:

logic configured to receive information from a switch fabric that received a request for making a

call, the information comprising facility related data, (col. 11, lines 1-10; col. 15, lines 10-35);

logic configured to perform call half processing for at least a first party or a second party

associated with the call in response to the facility related data and in accordance with a call

model, (col. 15, lines 10-29; col. 11, lines 12-35);

logic configured to generate connection information for the entity that received the request, (col.

5, lines 11-25; col. 15, lines 47-54); and

logic configured to forward the connection information to the entity that received the request,

(col. 15, lines 47-54).

Regarding claim 53, Christi, as applied to claim 51, teaches wherein the apparatus is

implemented in a network element that is separate from the entity that received the request, (col.

5, lines 11-25).

Regarding claim 54, Christi, as applied to claim 51, teaches wherein the logic configured

to perform call half processing maintains call states associated with completing the call in

accordance with a call model, (col. 11, lines 30-35).

Regarding claims 56, 57, 59, 61 and 62, Christi, as applied to claims 11, 22, 29, 40, 45,

and 56, teaches wherein the facility related event comprises at least one of on-hook, off-hook or

wink, (col. 15, lines 47-54).

**4.   Claims 47-50 are rejected under 35 U.S.C. 102(e) as being anticipated by LaPorta,
Patent #5,434,852.**

Regarding claim 47, La Porta teaches an apparatus comprising:

a call completion device for providing bearer functions, said call completion device

performing communications with a switch intelligence that is implemented in a separate network

element from said call completion device, (col. 2, line 44-66; col. 7, lines 11-25), the call

completion device being configured to:

forward a facility related event associated with a call to the switch intelligence, (col. 7, lines 11-

25), and receive bearer connection information from the switch intelligence in accordance with a

call model executed by the switch intelligence, (col. 7, lines 11-25).

Regarding claim 48, La Porta, as applied to claim 47, teaches wherein the switch

intelligence comprises a call state model and wherein the call completion device communicates

with the switch intelligence to affect a call state, (col. 2, lines 44-66).

Regarding claim 49, La Porta, as applied to claim 48, teaches wherein the call state is

represented in the call state model, (col. 2, lines 44-66).

Regarding claim 50, La Porta, as applied to claim 47, teaches a switch fabric proxy

service for providing an application programming interface for communications between the call

completion device and the switch intelligence, (col. 7, lines 41-65).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JOSEPH T. PHAN whose telephone number is (571)272-7544.

The examiner can normally be reached on Mon-Fri 9am-6:30pm EST, off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph T Phan/
Examiner, Art Unit 2614